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HUB LAW OFFICES

1 MICHAEL WALTON
2 P.O. Box 751
3 San Anselmo, CA 94979
4 (415) 456-7920
5 In Propria Persona

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF MARIN

8 CHURCH OF SCIENTOLOGY)
9 INTERNATIONAL, a California)
10 not-for-profit religious)
11 corporation,)
12)
13 Plaintiff,)
14)
15 vs.)
16)
17 GERALD ARMSTRONG; MICHAEL)
18 WALTON; THE GERALD ARMSTRONG)
19 CORPORATION, a California for)
20 profit corporation; DOES 1)
21 through 100, inclusive,)
22)
23 Defendants.)
24 _____)

CASE NO. 157 680

NOTICE OF JOINDER IN ARMSTRONG'S
OPPOSITION TO PLAINTIFF'S MOTION
TO COMPEL PRODUCTION FROM GERALD
ARMSTRONG AND MICHAEL WALTON;
SUPPLEMENTAL POINTS AND AUTHORITIES
Date: January 21, 1994
Time: 9:00 A.M.
Location: Dept. 1
Trial Date: None
Judge Gary W. Thomas

25 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

26 NOTICE IS HEREBY GIVEN that defendant MICHAEL WALTON, hereby
27 joins in GERALD ARMSTRONG'S Opposition To Plaintiff's Motion To
28 Compel Production From Gerald Armstrong and Michael Walton which
29 has been filed in the within matter.

30 1. PLAINTIFF HAS FAILED TO COMPLY WITH CCP SECTION 2031 (1) and
31 LOCAL RULE 2.14 REGARDING MEET AND CONFER

32 CCP Section 2031 (1) mandates that the instant motion "shall
33 set forth specific facts showing good cause justifying the
34 discovery sought by the inspection demand, and (2) shall be
35 accompanied by a declaration stating facts showing a reasonable and
36 good faith attempt at an informal resolution of any issue presented

1 **good faith attempt at an informal resolution of any issue presented**
2 **by it."**(Emphasis added) Plaintiff's attorney's supporting
3 Declaration shows that he apparently met and conferred with
4 Attorney Ford Greene, counsel for Gerald Armstrong and The Gerald
5 Armstrong Corporation; however, no attempt was made to meet and
6 confer with this responding defendant nor does the supporting
7 Declaration so assert. The purpose for mandating a good faith
8 effort at an informal resolution before the filing of a motion to
9 compel is clear and well recognized.

10 It is this defendant's belief that he has a legitimate
11 procedural objection to the instant motion being heard before
12 compliance with CCP Section 2031 (1). However, it is also this
13 defendant's desire to resolve this lawsuit as quickly as possible
14 with the least expense to all parties and this Court. As a result
15 of this desire, this defendant will immediately produce all
16 documents in his custody or control with respect to Requests 1, 2,
17 3, 4, 5, 6, 7, 9, 13, 16, & 17.

18 This defendant will not provide documents responsive to
19 Requests 8, 10, 11, 12, 14, & 15. Armstrong's joined Opposition
20 provides the privacy arguments for lack of response to Requests 8,
21 14 & 15. Requests 10, 11 & 12 are overbroad, burdensome and
22 harassive and not relevant to this lawsuit. Request #10 would have
23 defendant try to gather every document relating to household
24 expenditures for the last four years. Request #11 would have
25 defendant try to gather every document relating to home improvement
26 expenditures over the last four years. Request #12 would have

1 defendant try to gather every document relating to home utility
2 expenditures over the last four years. Such information is not
3 relevant to whether there was a fraudulent transfer in 1990, or if
4 relevant, the value of such relativity is so much less than the
5 burden to defendant to try to accumulate the myriad documents that
6 defendant should be excused from production.

7
8 **2. CONCLUSION**

9 Based upon the joined Opposition of Gerald Armstrong and the
10 foregoing points and authorities, defendant Michael Walton,
11 respectfully submits that he has completely complied with all
12 outstanding discovery and that plaintiff's motion should be denied.

13 Dated January 13, 1994

14 Michael Walton, In Pro Per